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BY ECF

Honorable James C. Francis
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Candido Jerez v. The City of New York, et al.
13 CV 8822 (GBD) (JCF)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department and am assigned to represent the Defendants in the above-referenced action. I write jointly with Plaintiff's Counsel, Jacob J. Perkowski, to respectfully request an enlargement time to complete discovery and submit the joint pre-trial order, in the above referenced action. This is the Parties' first joint application for an enlargement of time to complete discovery and submit the joint pre-trial order in this action. This will not affect any previously-scheduled deadlines.

On June 1, 2017, the Court ordered a limited re-opening of discovery in this action. Since the Court's issuance of the June 1, 2017 Order, the Parties have been diligently working to complete discovery in this matter, pursuant to Your Honor's Order. Consequently, the Parties have completed all four depositions of the defendant officers, the Defendants produced the disciplinary records associated with all four defendant officers, and the Plaintiff produced to Defendants: (1) Plaintiff's updated authorizations, and (2) Plaintiff's responses to Defendants' demands. Despite the Parties' diligence however, the Parties were unable to complete certain discovery that is referenced in Your Honor's Order, including Defendants' completion of the Plaintiff's independent medical examinations

As a result of the actions that the Parties engaged in this month, including the taking and defending of the four officers' depositions, Defendants' production of additional discovery, Plaintiff's production of updated authorizations and responses to Defendants' demands, as well as the Defendants having received the Plaintiff's authorizations on June 28, 2017 upon the Court's

June 27, 2017 entry of the Stipulation and Order as to Disclosure and Use of Confidential Information for All Purposes of Litigation, the Parties are continuing to work toward completing discovery in this action. Moreover, the Parties recently learned that the Plaintiff is no longer in custody, and thus the Parties must now modify the arrangements associated with scheduling the Plaintiff's independent dental examination.

Plaintiff's Counsel assured Defendants that they would attempt to confirm Plaintiff's availability for the scheduling of his dental examination as soon as possible. The parties will continue to meet and confer to find a mutually agreeable time to conduct the dental examination. Upon scheduling Plaintiff's dental examination, the parties respectfully submit that they will provide the Court with a status update and a date certain by which the parties aim to complete discovery in this action and submit their joint pretrial order to the Court. The parties will provide the Court with a status update no later than July 21, 2017.

Accordingly, the Parties jointly respectfully request that the Court extend discovery in this case and allow the Parties to submit a subsequent application to the Court setting a date certain to complete discovery, seek an extension of time to submit their joint pre-trial order, with dates certain associated with their application.

Thank you for your consideration herein.

Respectfully submitted,

/s/

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/s/ Jacob Perkowski

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